

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
ENTERED

MAY 03 2004

PRESTON HUGHES III (TDCJ #000939), §

Petitioner, §

v. §

DOUG DRETKE, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division, §

Respondent. §

CIVIL ACTION NO. H-01-4073

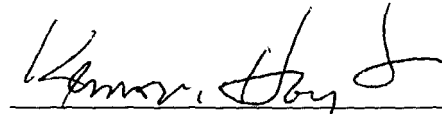
Michael N. Milby, Clerk of Court

ORDER

On April 28, 2004, the petitioner submitted a proposed discovery schedule in this case. (Docket Entry No. 32). The Court granted discovery motions filed by the petitioner initially in this case, concerning forensic DNA testing, in February of 2002. (Docket Entry No. 17). In June of 2003, the Court also granted motions filed by the petitioner for discovery and to expand the record. (Docket Entry Nos. 24, 25). In September of 2003, the Court also granted the petitioner leave to file "late submissions" for discovery. (Docket Entry No. 27). However, substantial time has passed without any submission by the petitioner. For reasons set forth in the *Memorandum and Order* granting respondent's summary judgment motion, the Court concludes that discovery on any of the issues raised by the petitioner would be of no benefit and that any further delay in this case is unjustified. Accordingly, it is **ORDERED** that the proposed schedule requested by the petitioner (Docket Entry No. 32) is **DENIED**.

The Clerk will provide copies of this order to the parties.

SIGNED at Houston, Texas on April 30, 2004.



KENNETH M. HOYT
UNITED STATES DISTRICT JUDGE